APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/550,354	04/14/2000	Rick Weber	DELUXE:001A	8673

20995	7590	05/16/2006

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ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>07 February 2006</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-3,5-9,11-19 and 22-55* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-3,5-9,11-19 and 22-55* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible

for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has

been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37

CFR 1.114. Applicant's submission filed on 2/7/2006 has been entered.

Response to Amendment

2.   The examiner acknowledges the applicant's Amendment received on 2/7/2006. Claims

1, 11, 22, 27, 37, and 46 are amended. Currently claims 1-3, 5-9, 11-19, 22-33,35-55 are

pending for examination.

Response to Arguments

3.   Applicant's arguments with respect to all the claims pending for examination, filed on

2/7/2006 have been considered but are moot in view of the new ground(s) of rejection,

necessitated due to the amendments made to claims

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to
> a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

4.1.   Claims 1-3, 5-6, 9, 11-13, 15-17, 33, and 35-36 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Rosen in view of Dworkin (US Patent 4,992,940), in view of Guheen

(US Patent 6,473,794 B1), and further in view of Meltzer et al. (US Patent 6,125,391),

hereinafter referred to as Meltzer.

      Regarding claim 1, Rosen teaches a method for facilitating the creation of personalized

products, for use in a system where a user on a user computer can access at least one host

merchant computer via a communication network, the host merchant computer including a web

server in communication with a products database containing information on products available

for personalization and further containing manufacturing capabilities of a plurality of vendors

capable of producing the products available for personalization (*see at least abstract, Fig.2,*

Fig.3, col.3, line 64-col.4, line 3 which show that the products to be personalized can be

any product such as, soda bottles, t-shirts, cups, bill boards, etc.), the method comprising:

      providing to the user via said communication network at least one web page providing

an assortment of product selections for products in the products database, each product

available in the database being associated with manufacturing capabilities of one or more

vendors capable of producing the product (see at least FIG.9B which shows a web page

providing an assortment of product selections, such as, different types of flavors, col.5, lines 19-

27, col.10, lines 7-18, "....The order specification WWW page 190 includes a WWW form for

selecting the quantity ant type of customized branded merchandize to be ordered......may

select the type [e.g. orange, strawberry. Note: As analyzed above "product selections with

different manufacturing capabilities associated with each product" corresponds to

personalize/customize the products and which Rosen already teaches as discussed above]) "

available in said products database (see FIG.3, "Product Database 98". As regards each

product being associated with different manufacturing capabilities of one or more vendors

capable of producing the product see col.3, line 64-col.4, line 3, " *Those skilled in the art should*

appreciate that although laser printer 46 comprises a color laser printer in the illustrative embodiment,

other types of printers may be used. For instance, special purpose printers may be used to create

customized products such as t-shirts, cups, billboards, etc. ". Note: In order to create customized

products other than soda bottle, such as t-shirts, cups and billboards represent products and

their capabilities of one or more vendors because one vendor may be suitable for supplying t-

shirts, another for cups and still another for billboards, and so on);

Rosen does not expressly teach that for the same product two or more vendors are

capable of producing the product. However, in the same filed of endeavor that is custom

selecting a product in an automated electronic commerce system, Dworkin discloses a products

database where one or more products are available and associated with manufacturing

capabilities of two or more vendors capable of producing the product, see at least Figs 6 & 7,

col.5, lines 25-27, col.6, lines 16-col.8, line 15, which disclose that for a product, such as printer

[printer is a mere example and instead of a printer the system is applicable for any other product

another product to be purchased by a potential customer as per his personal choice from the

plurality of products available from two or more vendors] the product database includes two or

more vendors having manufacturing capabilities to produce a printer. In view of Dworkin, it

would have been obvious to a person of an ordinary skill in the art at the time of the invention to

modify Rosen to include the feature such that a products database includes information about

one or more products and which are associated with manufacturing capabilities of two or more

vendors capable of producing the product, Doing so would enable the users/buyers in Rosen to

have more choices and enable them to custom select as per individual preferences the desired

product, such as different brands of soda bottles being manufacturer by different manufacturers

with different flavors from the available plurality of choices, as shown in Dworkin with the example of selecting a printer.

Rosen in view of Dworkin further teaches :

receiving a message from the user via said communication network indicating a selection of a product from said assortment of product selection, the selected product being associated with manufacturing capabilities of two or more vendors capable of producing the product (see at least Rosen col.10, lines 7-18, ""....The order specification WWW page 190 includes a WWW form for selecting the quantity and type of customized branded merchandize to be ordered...   According to an actual embodiment of the present invention, the consumer may select the type [e.g. orange, strawberry]......". As regards the limitation, the selected product being associated with manufacturing capabilities of two or more vendors capable of producing the product, it is already covered above.);

retrieving a set of manufacturing capabilities for the selected product from the product database, the set of manufacturing capabilities including manufacturing capabilities of two or more vendors from the plurality of vendors capable of producing the selected product (see at least Rosen FIGs. 8A & 9A, "The measurements shown are the minimum requirements for your artwork to get a quality label", FIG.8B, "....You have about 50 characters space", and "You have as much room as the text shows below. Anything longer will get chopped off after 65 words", col.9, lines 49-55, ".. the consumer may be required to provide a graphic image not exceeding a predetermined size .....". Note: The display of size restrictions for the image and the space restrictions for the amount of text to be input correspond to retrieving and showing the manufacturing capabilities which restrict the products to be personalized. As regards manufacturing capabilities from a plurality of vendors, is already analyzed above.);

providing to the user via said communication network a design interface, said design

interface comprising at least one web page including at least one design tool that allows the

user to select configuration options and to create individualized enhancements, and wherein

said design tool is conformed to only allow configuration options and enhancements (see at

least Rosen FIG.9C and col.10, lines 10-47, "...*Referring now to FIG. 9C...a JAVA applet for image*

manipulation may be transmitted from WWW server 34 to client computer 32 for execution within WWW

browser 118.....an applet for cropping the graphic image 194 is provided....to crop the image to a suitable

size....A selection tool 196 is also provided to allow the consumer to select a portion of the graphic image

194.....". Note: The WWW page 190 allows the user to select product flavors which correspond

to a tool selecting product configuration options and the JAVA applet for image manipulation

corresponds to the design tool to select graphic image, manipulate/configure the images as per

his personal choices. As regards manufacturing capabilities from a plurality of vendors that are

capable of producing the selected product, is already analyzed above.); and

receiving from the user via said design interface a set of design configuration selections

and a set of individualized enhancements for said selected product (see at least Rosen col.10,

lines 43-47, " Once the consumer has completed the manipulation......selected the quantity and

type of customized branded merchandise to be ordered , the WWW server 34 may provide a

checkout page 200.....").

Rosen does not teach that said design tool is configured to constrain at least one

configuration option available in said design interface in response to a user selection of a

configuration option so as to only allow the user to select further configuration options and

created enhancements are within the manufacturing capabilities retrieved from the database of

at least one vendor or the two or more vendors capable of producing the selected product.

Guheen, in the same field of endeavor, i.e. allowing a user to configure a product to his

personal likings, teaches that said design tool is configured to constrain at least one

configuration option available in said design interface in response to a user selection of a

configuration option so as to only allow the user to select further configuration options and

created enhancements are within the manufacturing capabilities retrieved from the database of

at least one vendor or the two or more vendors capable of producing the selected product (see

at least: col.9, lines 21-30 and Fig.3 " 31e", which disclose listings/database including lists of

products being associated two or more vendors being associated, col. 184, line 37-col.185, line

10 and Figs 72-73 teach that the design tool includes a "product configurator" program which

includes showing a plurality of items for purchase to an user, thereby allowing him to select an

item and further displaying him only the available features of the items such that the user can

customize his selections from the only available features [which can also include any created

enhancements to the product configuration], thereby resulting in constraining the user's

selections such that the user's selected options are within the available/manufacturing

capabilities of the vendor.).

In view of Guheen, it would have been obvious to a person of an ordinary skill in the art

at the time of the invention to modify Rosen in view of Dworkin to include the feature that said

design tool is configured to constrain at least one configuration option available in said design

interface in response to a user selection of a configuration option so as to only allow the user to

select further configuration options and created enhancements are within the manufacturing

capabilities retrieved from the database of at least one vendor or the two or more vendors

capable of producing the selected product. Doing so would enable the system to guide the

users/buyers in Rosen configuring only those products/creating enhancements which could be

available from the vendor(s), as explicitly suggested in Guheen.

Rosen does not teach selecting a vendor from the two or more vendors being capable of

producing the selected product personalized with the set of design configuration selections and

the set of individualized enhancements. However, Dworkin discloses the notoriously well-known

fact in the businesses of selling, buying and trading of selecting a vendor/sub-contractor from

the plurality of vendors available to produce/supply the desired merchandise (see at least Fig.7,

and col.7, line 23-col.8, line 15). Rosen discloses that customized products other than soda

bottles, such as t-shirts, cups and bill boards can be created (see at least col.3, line 64-col.4,

line 3) and analyzed above. Rosen also teaches that his invention is directed to creating a

customized branded merchandise by personalizing with a custom graphic image and text to be

labeled on the desired merchandise (see col.1, lines 49-63). Further in view of Dworkin, it would

be unquestionably obvious in Rosen in view of Dworkin that after the buyer has finalized the

customization of the branded merchandise the ordered merchandise is to be manufactured and

in order to do so a vendor will be selected from the available plurality of vendors for supplying

items (t-shirts, cups, soda flavors, billboards) the vendor who can manufacturer/supply this item

as per the desired preferences of the buyer .

Rosen does not disclose converting the set of design configuration selection and the set

of individualized enhancements for said selected product into a file having a format compatible

with the needs of the selected vendor and communicating the file to the selected vendor.

However, in the same field of conducting electronic commerce among businesses, customers,

suppliers and trading partners, Meltzer discloses converting the set of design configuration

selection and the set of individualized enhancements for said selected product into a file having

a format compatible with the needs of the selected vendor and communicating the file to the

selected vendor (see at least abstract and col. 2, lines 32-54, " *The present invention offers an*

infrastructure for connecting businesses with customers, suppliers and trading partners. Under the

infrastructure of the present invention, companies exchange information and services using self-defining,

machine-readable documents, such as XML (Extensible Markup Language) based documents, that can

be easily understood amongst the partners. ....". In view of Meltzer, it would have been obvious

to one of an ordinary skill in the art at the time of the applicant's invention to have modified

Rosen in view of Dworkin in view of Guheen to incorporate the feature of converting the set of

design configuration selection and the set of individualized enhancements for said selected

product into a file having a format compatible with the needs of the selected vendor and

communicating the file to the selected vendor because this allows to support commercial

transactions among platforms of different businesses having different architectures, as

explicitly disclosed in Meltzer (see col.1, lines 30-35 and col.2, lines 30-54).

Regarding claim 2, Rosen discloses that said individualized enhancements include a

pictorial image incorporated onto said selected product with an image position determined by

the user (see at least col.10, lines 19-42, ".....image manipulation....").

Regarding claim 3, Rosen teaches including a text message incorporated onto said

selected product with a text position determined by the user (col.5, lines 19-27, " ... to

customize the merchandize by providing a graphic image and a text message " and lines 39-43,

" having labels customized with a graphic image and a text message provided by consumer 30

". Note: Allowing consumer the merchandize with text message would inherently allow customer

to position the text as per his choice).

Regarding claim 5, Rosen teaches receiving a search query from the user via said

communication network; and

presenting to the user via said communication network an assortment of digital image

selections retrieved from at least one digital image database in communication with said design

interface, wherein said assortment satisfies said search query.

(see at least col.11, lines 34-42, wherein Rosen teaches that the user selects an item

from menu to display [corresponds to receiving a search query] and in response a gallery of

graphic images is displayed [corresponds to presenting the user with digital image selections as

per search query] retrieved from image database 100-see FIG.3).

Regarding claim 6, Rosen teaches receiving from said user via said communication

network a selected image from said assortment of digital image selections; and

incorporating said selected image into said set of individualized enhancements using

said design tool.

(see at least col.11, lines 34-42 and col.12, lines col.12, lines 5-13, "....At step 1310 a

graphic image is received. As described above [see at least col.10, lines 19-42], the graphic

image may have been cropped........a text message is received ").

Regarding claim 9, Rosen teaches a method for facilitating the creation of

personalized products as analyzed and disclosed in claim 1, above.

Rosen does not teach receiving from the user via said communication network a request

to save said set of product configurations and said set of individualized enhancements; and

storing said set of product configuration selections and said set of individualized enhancements

in a location accessible to that user via said communication network.

Guheen, in the same field of endeavor, i.e. product configuration, teaches receiving from

the user via said communication network a request to save said set of product configurations

and said set of individualized enhancements; and storing said set of product configuration

selections and said set of individualized enhancements in a location accessible to that user via

said communication network (see at least col.184, lines 44-45, " *Adds configurations to shopping*

art, Saves configurations to be retrieved at later point.." . Adding and saving Product configurations

would also be applicable for any enhancements created in configuring the product, as already

disclosed in Rosen. Adding the product configurations including created enhancements to a

shopping cart implies that this step would be done only on receiving a request to from the user

to hold/store the configurations to place an order for them). In view of Guheen, it would have

been obvious to a person of an ordinary skill in the art at the time of the invention to modify

Rosen to include the feature of receiving from the user via said communication network a

request to save said set of product configurations and said set of individualized enhancements;

and storing said set of product configuration selections and said set of individualized

enhancements in a location accessible to that user via said communication network. Doing so,

as is evident to one of an ordinary skilled in the art, would allow the user to hold/save the

product configurations including created enhancements in a shopping cart till such time he

finalize the order and also saving these configurations including created enhancements would

enable the users to retrieve them at a later date without having to go through the same arduous

exercise of configurating a product including creating enhancements.

      Regarding method claims 11-13, all limitations have been analyzed in claims 1 -2 and

9 above.

      Regarding claim 15, its limitations are analyzed as in claim 1 above.

      Regarding method claims 16-17, all limitations have been analyzed per claims 5 and 6

above.

Regarding method claim 33, all limitations are parallel to the limitations of claim 1 and are therefore analyzed on the basis of same rationale.

Regarding method claims 35-36, all limitations are parallel to the limitations of claims 2-3 and are therefore analyzed on the basis of same rationale.

4.2.   Claims 22-24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen/Dworkin/Guheen/Meltzer and further in view of Lahey.

Regarding claim 22, Rosen/Dworkin/Guheen/ Meltzer and further in view of Lahey teaches a method for facilitating the creation of personalized products (see above), comprising:

receiving from a user via a communication network a first set of design components created for a first product, said first set of design components corresponding to product configuration options and individualized enhancements(see at least Rosen col.10, lines 42-47. Note: This process is repeated for every product irrespective of the fact whether it is first or second product);

receiving from the user via said communication network an identifier for a second product selected for personalization (see at least Rosen col.10, lines 7-18, ""....The order specification WWW page 190 includes a WWW form for selecting the quantity ant type of customized branded merchandize to be ordered...   According to an actual embodiment of the present invention, the consumer may select the type [e.g. orange, strawberry]......". Note: This process is repeated for every product irrespective of the fact whether it is first or second product);

retrieving a set of manufacturing capabilities for the selected product, the set of

manufacturing capabilities......the selected second product (This limitation is already analyzed

in claim 1 above in view of Dworkin. This process is repeated for every product irrespective of

the fact whether it is first or second product.);

providing to the user a design interface comprising at least one design tool enabling the

user to create said design components, wherein said design interface is configured to

constrain.....producing the selected product;

creating at least one set of individualized enhancements for said selected product using

said design interface; and

receiving from the user via said design interface a set of product configuration options

and a set of individualized enhancements for said selected product;

selecting a vendor from the two or more vendors-------communicating the file to the

selected vendor

(All the above limitations are parallel to the limitations in claim 1 above and are

analyzed on the basis of same rationale.).

Rosen does not show modifying said first set of design components and generating a

second set of design components derived from said first set of design components.

Lahey, in the same field of endeavor, i.e. customization of print jobs, teaches modifying

said first set of design components and generating a second set of design components derived

from said first set of design components (see at least col.15, lines 47-62, "...The user may

customize the search dialog boxes 190,202 with the default option......the user saves the

present search operators.....When the search dialog is later invoked, those default search

operators and values appear.....The user may further customize and modify....when the user

selects the Customize button.....". Note: The user saves the parameters/operators for the first

product, retrieves them later by pressing default button and then modifies and customizes the

operators/parameters by pressing the customize button for a new product which could be

second or third product.).

In view of Lahey, it would have been obvious to a person of an ordinary skill in the art at

the time of the invention to modify Rosen/Dworkin/Guheen/Meltzer to include the feature of

modifying said first set of design components and generating a second set of design

components derived from said first set of design components because this would enable the

users/buyers to display the default design features set for the first product and would not have

to go through the process of custom designing and enhancing the subsequent/second or third

product from the very beginning but merely modify some of the features required to customize

a subsequent product, as explicitly disclosed in Lahey.

Regarding claims 23, 24, and 26, their limitations are already analyzed in claims 1, 5,

and 9 above.

4.3.   Claims 7-8 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rosen/Dworkin/Guheen/Meltzer and further in view of the web pages "americangreetings. com"

as available to the public on Internet on November 15, 1999, extracted from http://

www.archive.org on 8/22/03 ; hereinafter, referred to as Americangreetings.

Regarding claim 7, Rosen/Dworkin/Guheen/Meltzer teaches a method for

facilitating the creation of personalized products as analyzed and disclosed in claim 1, above.

Rosen further discloses receiving a search query from the user via said communication network

(see at least Rosen col.11, lines 23-42. Input by the user by selecting an item on the menu to

order merchandize or selecting a graphic image on the menu for display corresponds to the

search query from the user to the web server). Rosen also teaches providing text message to

the user via said communication network which can be used by the user to further enhance it or

manipulate it as per his personal choice (see at least Rosen FIG.8B, " This is where you can

add a paragraph of text.....Be creative, go wild, or go with what we have below ....").

Rosen does not show presenting to the user an assortment of text message selections

retrieved from at least one text message database in communication with said design interface,

wherein said assortment satisfies said search query.

However, Americangreetings in the same field of endeavor of customizing greeting cards

on line, discloses presenting to the user an assortment of text message selections retrieved

from at least one text message database in communication with said design interface, wherein

said assortment satisfies said search query (see the box " Our Greetings" and "Find More

Greetings ". The box "Our Greetings" is a drop down box which presents an assorted list of

greetings in alphabetical order starting from Anniversary, Baby, Birthday......Thanks, Wedding

and so on. Americangreetings presents a wide assortment of greetings text to the users in

response to their requirements, such as befitting a birthday, anniversary or for a gift, etc. and it

would be inherent that these greetings are retrieved from a database.)

In view of Americangreetings", it would have been obvious to a person of an ordinary

skill in the art at the time of the invention to modify Rosen/Dworkin/Guheen/Meltzer to include

the feature presenting to the user an assortment of text message selections retrieved from at

least one text message database in communication with said design interface, wherein said

assortment satisfies said search query because this would enable the users/buyers to select

and customize their greetings that they would like to post on their selected products for giving

them as birthday or anniversary gifts.

Regarding claim 8, Rosen teaches receiving from said user via said

communication network a selected text message from said assortment of text message

selections; and incorporating said selected text message into said set of individualized

enhancements using said design tool (see at least Rosen, col.5, lines 18-22 , "...that allow

consumer 30 to identify the merchandize they wish to order, to customize the merchandize by

providing a graphic image and a text message....", col.5, lines 41-43, "...WWW server 34

comprises bottles having labels customized with a graphic image and text message provided by

consumer 30", col.9, lines 58-64, "....Additionally, the consumer may also be prompted to

provide a text message 186 for inclusion on the customized merchandise).

Regarding claims 18-19, all limitations are covered by the limitations of method claims

7 and 8 and are therefore analyzed and rejected based on the same rationale.

4.4.   Claim 14 is rejected under 35 U.S.C. 103(a) as being obvious over Rosen/Dworkin/

Guheen/Meltzer and further in view of Official Notice.

Regarding claim 14, Rosen/Dworkin/Guheen/Meltzer teaches a method for

facilitating the creation of personalized products as analyzed and disclosed in claim 11, above.

Rosen further discloses incorporating a customized text message (see Rosen, col.5, lines 19-

27, " ...allow consumer 30 to identify the merchandize they wish to order, to customize the

merchandize by providing a graphic image and a text message " and lines 39-43, " having labels

customized with a graphic image and a text message provided by consumer 30 ". Note:

Allowing consumer to customize the text message would inherently allow customer to position

the text as per his choice). Rosen also teaches image manipulation features such as image

rotation, skewing, coloring which are known to those skilled in the art (see Rosen, col.10, lines

37-42).

Rosen does not show explicitly that the user in customization of the merchandise also

determines a font, color, size, and orientation of the text message.

Official Notice is taken of both the old and well-known concept and benefits of the

features allowing computer users using Microsoft Word to determine the selection of the font,

color, size and orientation as per his personal choice. Users can manipulate the size of the fonts

to increase to appear big or small, can select a font out of the big list available to them, may use

different colors to highlight messages like in red, blue or yellow and orient/rotate the text to

customize as per his individual liking or choice while preparing social content expression cards

like birthday and anniversary cards or preparing project reports to be read by others.

In view of the Official Notice, it would have been obvious to a person of an ordinary skill

in the art at the time of the invention to modify Rosen/Dworkin/Guheen/Meltzer as applied to

claim 11 to include the feature of letting user determine a font, text color, text size, and text

orientation because it would enable the customers to personalize the text message and

customize the selected product as explained above.

4.5   Claim 25, is rejected under 35 U.S.C. 103(a) as being unpatentable over

Rosen/Dworkin/Guheen/Lahey/Meltzer and further in view of Americangreetings.

Regarding claim 25, Rosen/Dworkin/Guheen/Lahey/Meltzer teaches a method for

facilitating the creation of personalized products as analyzed and disclosed in claim 22, above.

Rosen further discloses receiving a search query from the user (see at least Rosen, col.11, lines

23-42. Input by the user by selecting an item on the menu to order merchandize or selecting a graphic image on the menu for display corresponds to the search query from the user to the web server). Rosen also teaches providing text message to the user via said communication network which can be used by the user to further enhance it or manipulate it as per his personal choice (see at least Rosen, FIG.8B, " This is where you can add a paragraph of text.....Be creative, go wild, or go with what we have below ....").

Rosen does not show presenting to the user an assortment of text message selections retrieved from at least one text message database in communication with said design interface, wherein said assortment satisfies said search query.

However, Americangreetings in the same field of endeavor of customizing greeting cards on line, discloses presenting to the user an assortment of text message selections retrieved from at least one text message database in communication with said design interface, wherein said assortment satisfies said search query (see the box " Our Greetings" and "Find More Greetings ". The box "Our Greetings" is a drop down box which presents an assorted list of greetings in alphabetical order starting from Anniversary, Baby, Birthday......Thanks, Wedding and so on. Americangreetings presents a wide assortment of greetings text to the users in response to their requirements, such as befitting a birthday, anniversary or for a gift, etc. and it would be inherent that these greetings are retrieved from a database.)

In view of Americangreetings", it would have been obvious to a person of an ordinary skill in the art at the time of the invention to modify Rosen/Dworkin/Guheen/Lahey/Meltzer to include the feature of presenting to the user an assortment of text message selections retrieved from at least one text message database in communication with said design interface, wherein said assortment satisfies said search query because this would enable the users/buyers to

customize their greetings that they would like to post on their selected products for giving them

as birthday or anniversary gifts, as explicitly disclosed in Americangreetings.

4.6.   Claims 27-30, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rosen/Dworkin/Guheen and further in view of Lahey.

Regarding claim 27, all the limitations are covered in claims 1 and 22 and are therefore

rejected using the same rationale as being unpatentable over Rosen/ Dworkin/Guheen/Lahey.

Regarding claims 28, 29, 30, and 32, their limitations are already covered in claims 23,

1, 24, and 26 above respectively and are therefore analyzed and rejected on the same basis.

4.7.   Claims 37-41, 46-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rosen/Dworkin/Guheen.

Regarding claim 37, all its limitations are closely parallel and covered in claims 1, and 9

and are therefore analyzed and rejected on the same basis as being unpatentable over

Rosen/Dworkin/Guheen. As regards a server in communication with said communication

network... and a products database in communication with said server...., (see Rosen at least

FIGs.2 & 3 , " WWW Server 34" in communication with a communication network ,"Internet 20"

and see FIG. 3, " Product database 98", "Image Database 100", FIG.4, "Image Processing

Applet" are in communication with WWW server 34 and include information on product

selections and manufacturing capabilities. Also see Figs. 8A & 9A, " The measurements shown

are the minimum requirements for your artwork to get a quality label", FIG.8B, "....You have

about 50 characters space", and " You have as much room as the text shows below. Anything

longer will get chopped off after 65 words", col.9, lines 49-55, "....In an embodiment of the

present invention, the consumer may be required to provide a graphic image not exceeding a

predetermined size .....". Note: The display of size restrictions for the image and the space

restrictions for the amount of text to be input correspond to retrieving and showing the

manufacturing capabilities which restrict the products to be personalized). Further; the limitation,

" design buffer in communication.....during a current design session" is already covered in claim

9 wherein the *shopping cart* disclosed in Guheen corresponds to the claimed "design buffer".

Regarding claims 38-41, Rosen discloses:

a product browse tool in communication with said products database, wherein said

product browse tool enables a user to browse said assortment of product selections of said

products database .

a product search tool in communication with said products database, wherein said

product search tool enables a user to search said assortment of product selections of said

products database for products associated with a search query.

an image browse tool in communication with said image databases, wherein said image

browse tool enables a user to browse said assortment of digital image selections of said image

databases.

an image search tool in communication with said image databases, wherein said image

search tool enables a user to search said assortment of digital image selections of said image

databases for images associated with a search query.

(see Rosen col.4, line 62-col.5, line 63, "…once connected to the Internet 20, a client

computer 32 may utilize a WWW browser application program to view and interact with WWW

site….to customize the merchandise by providing a graphic image…..". Note: The browser

application program is capable to browse and select products and images).

Regarding claims 46-48, their limitations are covered by the limitations of claims 38-39

and are therefore analyzed and rejected on the same basis.

Regarding claim 49, Rosen/Dworkin/Guheen teaches all the limitations of claim 46 as

analyzed above. Rosen further discloses:

at least one image database in communication with said second module, said image

databases comprising an assortment of digital image selections (see at least Rosen, FIG.3,

"..Image Database 100", col.6, lines 59-61, col.11, lines 10-11, " Viewing a gallery of images

supplied by other users ". Note: The image database is in communication with the WWW page

190 and image manipulation applet r(see at least Rosen, col.10, lines 10-47) and WWW page

190 and image manipulation applet correspond to the second module).

Regarding claims 50-51, their limitations are covered by the limitations of claims 40-41

and are therefore analyzed and rejected on the same basis.

4.8.   Claims 45 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rosen/Dworkin/Guheen and further in view of Lahey.

Regarding claim 45, Rosen/Dworkin/Guheen teaches all the limitations of claim 37 as analyzed above. Rosen/Dworkin/Guheen as applied to claim 37 does not teach the limitations recited in claim 45. However, Lahey teaches the missing limitations, that is:

a template database in communication with said set of design tools, said template database comprising default sets of design components for each product of said product database; and

a template module in communication with said template database that generates a default set of design components for a particular product selected by the user for presentation to the user at the beginning of the design process

(see at least Lahey, col.15, lines 47-62. BY selecting the "Set Default button" the parameters are saved and stored as "Default parameters" to be invoked later to display them to the user or to be used to modify and generate a new default parameters. The storage of default parameters corresponds to a template database and selecting "set Default button" to generate default parameters correspond to a template module.). In view of Lahey, it would be obvious to one of an ordinary skilled in the art at the time of the applicant's invention to have modified Rosen/Dworkin/Guheen as applied to claim 37 to incorporate the features of a template database in communication with said set of design tools, said template database comprising default sets of design components for each product of said product database, and a template module in communication with said template database that generates a default set of design components for a particular product selected by the user for presentation to the user at the beginning of the design process. Doing so would help the system and users to save and store a product configuration as " Default parameters" by selecting the "Set Default button" to be invoked later to display them to the user or to be used to modify and generate a new default

parameters without having to go through the arduous process of product configuration including

the created enhancements.

Regarding claim 55, its limitations are covered by the limitations of claim 45 and is

therefore analyzed and rejected on the same basis

4.9.   Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Rosen/Dworkin/Guheen/Lahey and further in view of Americangreetings.

Regarding claim 31, Rosen/Dworkin/Guheen/Lahey teaches all the limitations of claim

27 as analyzed above. The limitations recited in claim 31 are already covered in claim 25 and

are analyzed and rejected as obvious over Rosen/Dworkin/Guheen/Lahey and further in view of

Americangreetings on the basis of same rationale.

5.0   Claims 42-43 and 52-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rosen/Dworkin/Guheen and further in view of Americangreetings.

Regarding claims 42 and 43, Rosen/Dworkin/Guheen/ teaches a system to allow

to design personalized products as disclosed and analyzed in claim 37 above.

Rosen further discloses a client computer 32 utilizing a WWW browser application program

which enables the users to view, browse, search at WWW sites provided by WWW server 34,

all databases, like product database 98, image database 100, customer database 96, etc.

connected with the WWW server and to retrieve application programs from the WWW server for

execution in the client computer (see Rosen, col.4, line 59-col.5, line 63). The client computer

32 utilizing a WWW browser application program is also capable to browse and search a

message database if it is available at the Web site.

Rosen/Dworkin/Guheen does not show a message database in communication with said

set of design tools, said message database comprising an assortment of text message

selections and presenting to the user an assortment of text message selections retrieved from

at least one text message database in communication with said design interface, wherein said

assortment satisfies said search query.

However, Americangreetings in the same field of endeavor of customizing greeting

cards on line, discloses a message database in communication with said set of design tools,

said message database comprising an assortment of text message selections and presenting to

the user an assortment of text message selections retrieved from at least one text message

database in communication with said design interface, wherein said assortment satisfies said

search query (see the box " Our Greetings" and "Find More Greetings ". The box "Our

Greetings" is a drop down box which presents an assorted list of greetings in alphabetical order

starting from Anniversary, Baby, Birthday......Thanks, Wedding and so on. Americangreetings

presents a wide assortment of greetings text to the users in response to their requirements,

such as befitting a birthday, anniversary or for a gift, etc. and it would be inherent that these

greetings are retrieved from a database.)

In view of Americangreetings", it would have been obvious to a person of an ordinary

skill in the art at the time of the invention to modify Rosen/Dworkin/Guheen to include a

message database in communication with said set of design tools, said message database

comprising an assortment of text message selections and presenting to the user an assortment

of text message selections retrieved from at least one text message database in communication

with said design interface, wherein said assortment satisfies said search query. Doing so would

enable the users/buyers to customize their greetings that they would like to post on their

selected products for giving them as birthday or anniversary gifts, as explicitly disclosed in

Americangreetings.

Regarding claims 52-53, the limitations recited in claims 52-53 are covered by the

claims 42-43 and are analyzed and rejected on the basis of same rationale.

5.1.   Claims 44 and 54 are rejected under 35 U.S.C. 103(a) as being obvious over

Rosen/Dworkin/Guheen and further in view of Official Notice.

Regarding claim 44, Rosen/Dworkin/Guheen teaches a system to allow a user to

design personalized products as disclosed and analyzed in claim 37 above. Rosen further

discloses :

a personal database in communication with said set of design tools, said personal

database being accessible only by a particular customer;

an upload tool in communication with said personal database, said upload tool

configured so as to allow the particular user to upload design information from said personal

database into said design buffer

(see at least Rosen, Fig.8 A, ". To upload your photo or artwork, click on the browser

button and find the graphic file on your personal computer ", and col.9, lines 37-55). Note: The

files stored in the personal computer corresponds to storing the photo or artwork files in a

personal database which could only be accessed by the particular customer and those files can

be accessed by the browser which interacts with the WWW server 34 and applet for

manipulation of images as analyzed in claims 38-41 above);

a save tool (already covered in claim 37 above where a save tool saves and stores

design information generated via design tools as default parameters to be invoked later).

Rosen does not show that said save tool is configured to allow the particular user to

save design information from said design buffer into said personal database.

Official Notice is taken of the old and well known concept and benefits of saving

information into said personal database for to retrieve later and use them again. In view of the

Official Notice, it would have been obvious to a person of an ordinary skill in the art at the time

of the invention to modify Rosen/Dworkin/Guheen as applied to claim 37 to incorporate the

feature of saving design information from said design buffer into said personal database

because it would allow the users to retrieve the saved information later to order additional

quantity with the same features or to modify some parameters in the default features for

ordering subsequent products without having to go through the process of custom designing

and enhancing the product from the very beginning.

Regarding claim 54, its limitations are covered by the limitations of claim 44 and is

therefore analyzed and rejected on the basis of same rationale.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

(i) US Patent 6,167,383 to Henson discloses configuring a customized product online

using a design interface (such as a computer system) wherein the user is guided through a

design tool restricting the user to choose the options that are available and validated by the system (see at least Abstract, Figs 3A, 3B, 3C, 4, 5, 6, col.6, line 18-col.9, line 18).

(ii) US Publication 2004/0186793 A1 to Harmand et al. discloses a computerized system and method for custom designing an item online, that is a tool bit for machining seat valves (see at least paragraphs 0017 and 0065). The user is guided and constrained by a design tool –a software program- in selecting interactively only those options which are available. With the help of a variety of pop-up menus and tool bars the user is provided an option of design by prompt and is further guided through a custom design step by step thereby restraining the user to select a customized design only from the available choices.
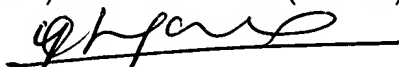
(III) EP 0899672A2 to Strevey et al. (Boeing company) discloses a product configurator with constraint tool which limits the user's selections and configurations per information stored in a database (see at least Abstract, Fig.4 and paragraph 0029, page 5-paragraph 0037, page 6).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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5/12/2006